

District IV Citizen Review Panel
707 N. Armstrong Pl, Boise, ID 83704
Tuesday, October 6, 2020
4:00 pm – 6:30 pm

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Meeting Minutes

In attendance

Members: Allison Berkson, Brian McCauley, Shannon McCarhy, Nicole Noltensmeyer, Kym Nilsen, Darcie Bobrowski. Melissa Mezo

Staff: Misty Myatt (IDHW) Laura Smith and Courtney Boyce (CDH)

Guests: Darci Anderson (Family Advocates), Detective Bill Weires, Detective Jessica Johnson, Detective Ryan Pacheco, Janet Lawler – Head of the Victim-Witness Coordinators (Ada County Sherriff's Office)

Call Meeting to Order

Brian McCauley Chair of the Region IV Citizen Review Panel, called the Region IV Citizen Review Panel to order at 4:10pm, due to technical difficulties starting the meeting.

Brian discussed amending the meeting minutes to add 5 minutes to the end of the agenda to discuss representation for the Panel. With amendments, the agenda was approved as written.

Motion: Brian motioned to add five minutes to discuss authorizing members of the panel to represent the panel for information-gathering events. Nicole seconded. None opposed. The motion carries.

Motion: Nicole motioned to approve the September 1st, regular CRP meeting minutes as currently written. Kym seconded. None opposed. The motion carries.

Motion: Nicole motioned to approve the special meeting minutes for the September 25th Citizen Review Panel meeting. Melissa seconded. None opposed. The motion carries.

Ada County Sherriff's Office Panel

Brian provided an introduction to the Region IV CRP and discussed the tasks and responsibilities of the panel including case reviews.

Sergeant Bill Weires precedes over the Major Crimes Division at the Ada County Sheriff's Office. Sergeant Bill Weires supervises 13 detectives that manage crimes against persons, including children. Sergeant Bill Weires stated that he has been a detective for the last 8 years, and a Sergeant over the last three years.

Detective Jessica Johnson spoke about their primary role is working on child protection cases, stating that they work closely with IDHW. Sergeant Bill Weires provided a brief synopsis of the process of communicating with the IDHW. They receive the child protection referral from IDHW, which will be assigned to different detective who will then investigate to determine if criminal actions took place. Detective Jessica discussed that the referrals are sent to the Department, that the detectives look at the referral or information report, and determine if assigning detective to investigate. It depends on classification as a referral or information report, to determine if a patrol officer or detective is assigned. Detective Jessica continued that working in conjunction with safety assessor this process is determine. Detective Jessica stated that they require safety assessors to contact the detectives depending on the priority level. Priority Area One is where contact is required within 24 hours, Priority Area Two is within 48 hours and Priority Area Three is 72 hours as a lesser concern. Detective Jessica stated that they require safety assessor to contact detectives to manage the case, including interviewing the child. She stated that they are trained differently than IDHW and have a different perspective of managing child protective issues than the Department.

Detective Jessica shared that one problem they experience is the turnover of safety assessors. They have experienced a change in procedure where safety assessors contact someone in the referral before consulting detectives, which can impede investigation. Detective Jessica shared that part of our success is that they work closely with IDHW when assessing questions so that to the best of their knowledge they respond to all priority areas as identified by the IDHW.

Detectives continued to answer questions from the Panel and identify their process of communication with the Department. The detectives will contact IDHW and discuss prior referrals, including reports or criminal cases. Sometimes there are no reports generated as the documentation is not required to be there, but they work with IDHW to determine if there were any previous referrals on the family. The detectives rely on communicating with IDHW supervisor where after providing child or parents name and DOB, and can look at prior history. The information is linked to the child so previous identified safety concerns are linked to each child.

Misty identified that IDHW policy is to address all Priority Area 1 and 2 reports. Misty described that Priority Area One includes physical injury, and/or sexual abuse with immediate access to alleged offender. Priority Area Two includes physical injury with a child over six years old and/or sexual abuse without immediate access to alleged offender. Priority Area Three Includes hazardous homes and/or neglectful conditions. Misty provided the link for the IDHW standard on priority guidelines and additional information located here: <https://healthandwelfare.idaho.gov/Portals/0/Children/AdoptionFoster/PriorityGuidelines.pdf>.

The Panel and the detectives discussed conditions of imminent danger and hair follicle tests with children when parents are consuming, injecting, and/or inhaling substances. This conversation included reliability of hair follicle tests. From the Department it was discussed that several factors are taken into consideration including but not limited to: the age of children, if children were left with others and whom, analyzing priority capacity, and how substance use does not immediately determine ability to supervise and parent children and how if parents are under the influence, if are they able to meet their child's needs. Misty discussed that the primary care giver using substances is not enough to indicate criminal neglect, abuse, etc. Misty shared different avenues of being informed of drug use and how that would influence the outcome of case and investigation. In returning to the discussion of hair follicles, it was shared that it was perceived to be a breach of communication for the hair follicle tests that are being conducted from the IDHW, as this is not shared to the Ada County Sheriff's Office. Misty shared that they should be able to have access to this tests and that law enforcement should have the ability of requesting that information.

Kym asked if the detectives experience consist communication from IDHW, or do if they have suggestions for it to be more effective. Det. Johnson stated that part of the problem is the high turnover rate with safety assessors, and that on-call workers may not have built relationship with Ada County Sheriff's Office. The way that the on-call workers manage the call is not a good working relationship. Detective Jessica said that improved communications would have a better response from Detectives as they manage after-hours cases with on-call workers. Detective Jessica stated that communication breaks down as it occurs after-hours, weekends and nights. She stated that this occurs a handful of times that this occurs every month, as communication is essential in these investigations. Detective Jessica shared that these workers are contracted, not employed by IDHW, as right now there are several IDHW employees working as on-call safety assessors due to the difficulty retaining employees. In Region IV, there are three safety assessor teams, where Misty will be the Chief for all over safety assessor teams. It was shared that anecdotally, these staff members are overworked, with too many cases and not being able to accurately assess families stating ongoing issues with being understaffed and underpaid.

A brief discussion ensued on the idea of standardized training opportunities with law enforcement and IDHW. Training across all law enforcement on the interaction model of communication between law enforcement and the Idaho Department of Health and Welfare would be difficult as each county functions differently. Policies may be similar however the procedures may be different, and it would be difficult to get buy-in from judges, courts, and all law enforcement agencies. It was also shared that Ada County has been very creative in helping the IDHW with ensuring child safety even when children are in different jurisdictions when there is enough information.

The Panel continued a discussion on civil and criminal cases and how it addressed in the courts. The Panel shared how home visits or monitored visits can be counter intuitive from the 'best interest of the child' given the push for reunification from the Department as children could be placed in front of their abusers. A Panel member asked if there is a way that judges can be trained on these scenarios, as they have to show they are making reasonable efforts to reunite the family. As the criminal case continues, this is different than the civil cases. Individuals have to ask for a criminal no-contact order which supersedes the civil courts, given that there are two different judges and two different cases co-occurring at the same time. The criminal case may be wrapped up when the no-contact order is lifted and then reunification is given a second chance. The conversation continued on how foster children visitations with their biological parent(s) can further traumatize children. Misty shared that it is a federal requirement which includes visitation, but a strategy of how we can better support a lapse in visits is with recommendations from law enforcement partners, including getting the no-contact order. It was shared that this required working with prosecutors, but the only sustainable change is legislation until we change the wording, it will be a continuation of current processes. Here is the link to the standard around visitation for more information: <https://healthandwelfare.idaho.gov/Portals/0/Children/AbuseNeglect/Visitation.pdf>.

In synopsis, the Panel members of the District IV Citizen Review Panel, the District IV IDHW liaison, and employees from the Ada County Sherriff's Office discussed the differences in the procedures and policies between the IDHW and Ada County Sherriff's Office. This conversation included the strengths of their partnership, collaboration and coordination, and identified areas of improvement. This included discussions on improving on-call response with workers, reducing staff turnover in safety assessors, and making legislative recommendations trying to resolve 'best interest of children' and reunification efforts of the department.

Nicole discussed that the Ada County Sherriff's Office should be considered a partner to the District IV Citizen Review Panel and notified of meetings and panel activities. Per this request, this action item was identified.

Action Item: Courtney will send out the agenda and meeting invite information to the Ada County Sherriff's Office each month.

Group Home & Residential Treatment Facility Cases & Report

Nicole discussed that the IDAPA rules used in the original report were not current, as it appears they were reviewed in March. It was discussed that the report needed to be converted into Microsoft Word, with the document pulling out the recommendations regarding IDAPA. Nicole addressed the core concern of finding a meaningful way of having interactions with families and their legal representatives. Per this interaction, Shannon will send information over to Courtney. Courtney will compile it and submit as a courtesy to Russ and Laura, and then send to the IDHW. The discussion continued on the independent branding of Citizen Review Panel per these reports and others.

Motion Briand motioned to submit this report without CDH letterhead to the Department. Melissa seconded. None opposed. The motion carries.

Motion Brian motioned that the principle content as presented by Nicole, revised by Shannon and edited by Laura and Courtney, be approved by the committee to be sent to the IDHW. Shannon seconded. None opposed. The motion passes.

Action Item: CRP Independent Branding / Member Representation added to the November agenda for 15 minutes.

Laura shared that independent branding was possible and would be providing more information for the Panel to consider. Laura shared in the chat that the CRP would be looking at around \$700 for CRP-specific branding.

Child Welfare in Valley County

Kym discussed the multiple contacts that she has made with individuals and agencies in Valley County. Kym shared that she coordinated with educators in the McCall-Donnelly School District, and spoke with teachers and superintendent. Kym shared additional communications with a foster family that started fostering 10 years ago. Kym feels that she has a clear picture based on her connections regarding child welfare issues in Valley County. Kym shared a history of Valley County child welfare issues including partnerships, strengths, community connection to child protection services and support. When IDHW office was closed, this changed the community. Kym shared that she had certified family home contacts through that building, and which were then re-assigned to Pocatello, Ada County, etc. The same thing happened with the child welfare services, that were diverted to Payette. Kym discussed the lack of representation in child welfare issues in Valley County. Misty wanted to clarify that the social workers in Region Four are the ones that respond to allegations called in in Valley County. Payette (Region Three) is no longer responsible for those referrals. One of the teams go to up Valley County, as it is no longer split between Region 3 and 4. It was also determined that there is an unknown number of safety assessments occurring in Valley County. Multidisciplinary team (MDT) meetings are a responsibility of the Prosecuting Office, which is not occurring. Misty and Darci identified how commendable Kym's work is, as movements are happening in Valley County. Kym wants to develop relationships with local stakeholders, and establish this network of people that will communicate with her and use these relationships to improve regional systems. When asked if there is the likelihood of re-establishing services in terms of workforce in Valley County, Misty said she does not see it within this next year. It was then discussed that the Panel could propose Panel child welfare committees targeting Boise and Elmore County. Misty shared that in Elmore County they have a dedicated worker for Elmore County.

Motion: Brian motioned Kym represent a panel in all respects, which would authorize open correspondence, establish relationships, and have ongoing communication with stakeholders without the need to receive approval for her work. Nicole seconded. None opposed. The motion carries.

Brian discussed the Boise County connection, and asked if there are guardians in Boise County that can speak to local child welfare issues. It was shared that both Boise County and Elmore County have MDTs or did pre-COVID.

Motion: Brian motioned that Darci Anderson of CASA utilize her network to request information on Boise County. Shannon seconded. None opposed. The motion carries.

Governor's Task Force for Children at Risk

Brian briefly discussed his experience speaking at the Governor's Task Force for Children at Risk. Brian stated that the statement he provided on behalf of the Panel was well received. Brian shared that this diverse group has lots of representation and similar concerns that were expressed. Joshua Wickard is one of the Public Defenders in Ada County and on the Task Force.

Move: Brian move to have Josh Wickard present at one of our meetings this year. Shannon seconded. None opposed. The motion carries.

Action Item: Courtney will reach out to Josh Wickard on behalf of the Panel and extend an invitation to speak to the panel. It was presented that this proposal would be a 15-minute discussion with 15 minutes of Q & A for a total of 30 minutes with the Panel.

Brian discussed a recent e-mail from Melissa regarding her consideration of resignation in order to replace her position with Britnee Journee, who spoke to the panel earlier this year. Melissa said that she would like to have continued representation on the panel with a clinical or therapeutic component, but that her resignation is not effective immediately as she is planning termination at the conclusion of her term in January. It was discussed that Britnee would need to apply, interview and go through the application channels as other applicants have done, but that consideration to those with clinical experience including a background in childhood trauma should be given.

Motion: Brian motions Courtney to advertise District IV Citizen Review Panel planned vacancy, encouraging applicants with clinical experience including a background in child trauma apply. Nicole seconded. None opposed. The motion carries.

Misty asked if she could present to the group the Region IV Manager, at an upcoming meeting. Brian addressed that this could be a 10 minute discussion and 10 minute Q & A from the panel. Misty also shared that she will follow up with Nicole regarding a case she discussed, and will work with Allison to do another scan for Region IV child protection cases where children are placed in group homes or residential treatment facilities. Nicole will be working with Allison to train her on the case review process.

Shannon mentioned that the next planned District IV Citizen Review Panel meeting would be occurring on Tuesday, November 3rd, which is Election Day.

Motion: Brian motioned to move the November District IV Citizen Review Panel meeting to the first Wednesday of the month. Shannon and Nicole seconded. None opposed. The motion carries.

Melissa discussed connections with the Boise County Sherriff and the possibility of attending a future meeting.

Motion: Brian motioned to authorize Melissa to extend an invitation the Sheriff and SRO in Boise County to attend the December meeting or some meeting thereafter. Nicole seconded. None opposed. The motion carries.

Brian McCauley Chair of the Region IV Citizen Review Panel, adjourned the Region IV Citizen Review Panel at 6:51pm.

Meeting minutes prepared by Courtney Boyce.